

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hurley et al.

Title: Electronic Entity Record System

Serial No.: 10/027,733

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Conf. No.: 9765

Examiner: Graham, Clement B.

Group Art Unit: 3692

APPEAL BRIEF

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Sir:

This Appeal Brief is being filed with an electronic payment in the amount of \$510 for the brief appeal fee under 37 C.F.R. 41.20(b)(2). Authorization is hereby given to charge any deficiency (or credit any balance) to deposit account 503289.

This is an appeal from the decision dated July 18, 2007 finally rejecting claims 1-45 as follows:

a. Claims 1-45 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Phelan (US publication no. 2002/0072927).

REAL PARTY IN INTEREST

The real party in interest is U-Haul International, Inc., the assignee of the subject application.

RELATED APPEALS AND INTERFERENCES

None.

STATUS OF CLAIMS

Claims 1-45 are pending in the application. All of these claims have been finally rejected. Claims 1-33 and 36-45 are the subject of this appeal.

STATUS OF AMENDMENTS

On January 18, 2008, Applicants filed an Amendment after Final Office Action amending claims 1-17 and 25-43. Applicants requested that the Examiner admit the proposed amendment on the grounds that it placed the claims in better form for consideration on appeal and that the Applicants could not have presented the amendment earlier because it was in response to new grounds for rejection raised by the Examiner for the first time in the Final Office Action of July 18, 2007. *See* 37 CFR § 41.33; MPEP § 1206. By the Advisory Action of April 2, 2008, the Examiner refused to enter the amendment.

SUMMARY OF THE CLAIMED SUBJECT MATTER

The equipment rental business, particularly rental of moving equipment, is a business that is most successful when a rental location exists in each neighborhood. When a customer needs to rent moving equipment, the customer will seek a local business that will provide a truck, dolly, trailer or other such equipment. To provide a convenient rental location for prospective customers, it is in the interest of a central business concern to have dealerships and centers in every neighborhood. For a successful large national company, the number of dealers and centers affiliated with the central business concern could exceed tens of thousands of locations. Applicants' invention helps a central business concern to maintain management control over such locations, by providing an entity records system that can track contact information, as well as financial, legal and administrative information for each location or entity.

Applicants' invention is generally directed to an entity records system 10 for tracking information pertaining to a plurality of entities. The system can track information pertaining to dealers and centers affiliated with a central business concern, such as an equipment rental business. In a preferred embodiment, the records system provides contact information, as well as financial, legal and administrative information for the various centers and dealers. It can be used to track commissions earned by each entity, the gross revenues for each accounting period, and the commission earned for each accounting period, as well as commission payments made by the central business concern to each entity. It also can be used to track information regarding delinquent transactions for which each entity is responsible as well as an entity's negative payment history, such as returned checks, missing deposits and missed payments.

Without limiting the scope of the claimed invention in any way, the independent claims on appeal are discussed as follows:

Independent claim 1 is directed to an entity records system for tracking information pertaining to a plurality of entities. The system includes an entity identification capture to record identification information for each entity (*see* FIG. 1), a revenue capture in data communication with the entity identification capture to record revenue information for the entity (*see* FIG. 2), a delinquency data capture in data communication with the entity identification capture to record account delinquency information for each entity (*see* FIG. 3), and a negative payment history capture in data communication with the entity identification capture to track the negative payment history for each entity (*see* FIG. 4). *See* Specification Pub. No. 20030115139 at [0028-0043].

Independent claim 25 is directed to an entity records system for tracking information pertaining to a plurality of entities. The system includes an entity identification capture to record identification information for each entity (*see* FIG. 1), and a revenue capture in data communication with the entity identification capture to record revenue information for the entity (*see* FIG. 2). *See* Specification Pub. No. 20030115139 at [0033-0034].

Independent claim 34 is directed to an entity records system for tracking information pertaining to a plurality of entities. The system includes an entity identification capture to record identification information for each entity (*see* FIG. 1), and a delinquency data capture in data communication with the entity identification capture to record account delinquency information for each entity (*see* FIG. 3). *See* Specification Pub. No. 20030115139 at [0035-0039].

Independent claim 38 is directed to an entity records system for tracking information pertaining to a plurality of entities. The system includes an entity identification capture to record identification information for each entity (*see* FIG. 1), and a negative payment history capture in data communication with the entity identification capture to track the negative payment history for each entity (*see* FIG. 4). *See* Specification Pub. No. 20030115139 at [0040-0043].

Independent claim 44 is directed to a method of tracking information pertaining to a plurality of entities. The method includes the steps of storing and retrieving entity identification data (*see* FIG. 1), storing and retrieving revenue information pertaining to the entities (*see* FIG. 2), storing and retrieving delinquency data pertaining to the entities (*see* FIG. 3), and storing and retrieving negative payment history pertaining to the entities (*see* FIG. 4). *See* Specification Pub. No. 20030115139 at [0028-0043].

GROUND OF REJECTION TO BE REVIEWED ON APPEAL

1. Is the subject matter of claims 1-33 and 36-45 anticipated under 35 U.S.C. § 102(e) by Phelan?

ARGUMENT

1. Applicable Law

To establish a *prima facie* case of anticipation under 35 U.S.C. § 102, the Examiner must provide evidence or technical reasoning showing that each and every element set forth in the claim is disclosed, either expressly or under principles of inherency, in a single prior art reference. *E.g., Perricone v. Medicis Pharm.*, 432 F.3d 1368, 1375-76, 77 USPQ2d 1321, 1325-26 (Fed. Cir. 2005) (citing *Minn. Mining & Mfg. Co. v. Johnson & Johnson Orthopaedics, Inc.*, 976 F.2d 1559, 1565, 24 USPQ2d 1321, 1326 (Fed. Cir. 1992)); *Corning Glass Works v. Sumitomo Elec. U.S.A., Inc.*, 868 F.2d 1251, 1255-56, 9 USPQ2d 1962, 1965 (Fed. Cir. 1989); *Verdegaal Bros. Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir.), *cert. denied*, 484 U.S. 827 (1987).

In addition, the Examiner has the burden to designate, as nearly as practicable, the particular part of the cited reference that he or she is relying upon and to clearly explain, if not apparent, the pertinence of that reference. 37 CFR § 1.104(c)(2).¹

2. The Subject Matter of Claims 1-33 and 36-45 Is Not Anticipated under 35 U.S.C. § 102(e) by Phelan²

In the present case, the Examiner has failed to present evidence showing all of the elements of Applicants' claims, let alone doing so in a single reference.

In rejecting the claims, the Examiner relies solely on Phelan. Phelan, however, discloses a very different system than Applicants' invention. Specifically, Phelan discloses a system for

¹ 37 CFR § 1.104(c)(2) states:

In rejecting claims for want of novelty or for obviousness, the examiner must cite the best references at his or her command. When a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as nearly as practicable. The pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.

² Claims 1, 25, 34, 38 and 44 are independent claims.

pooling credit and business information. The system is used to provide a credit information service to member commercial lenders. The member lenders provide their experience regarding their customers' credit and business information, including payment history. Anonymity is maintained so that an inquirer cannot identify the lender. The member lenders are then charged for these inquiry transactions.

In contrast to Applicants' invention, the system of Phelan does not track: information pertaining to entities such as dealers and centers affiliated with a central business concern; information relating to revenue of such entities, commissions earned by such entities and payments of commissions made by the central business concern to those entities; delinquencies and of such entities in paying the central business concern; and negative payment history of such entities.

A. The Examiner Has Failed to Establish a *Prima Facie* Case of Anticipation.

The Examiner has failed to identify a specific paragraph or any specific elements in Phelan corresponding to the claimed elements. Instead, in rejecting the claims, the Examiner has referenced virtually all of the description section of Phelan without identifying a specific paragraph where the recited elements are disclosed. As grounds for the rejection of every one of Applicants' claims, the Examiner cited paragraphs 0022 and 0024-0063 of Phelan, which includes the entire section of the Specification entitled "Detailed Description of Preferred Embodiments" except for the last two paragraphs of the section. Applicants respectfully submit that, in doing so, the Examiner has failed to comply with 37 CFR § 1.104(c)(2) and has failed to establish a *prima facie* case of anticipation.

In Applicants' Response to Office Action, filed April 5, 2007, Applicants requested that the Examiner clearly point out how Phelan discloses or teaches all of the recited elements of the claims to enable Applicants to provide a more specific reply. See Response to Office Action dated April 5, 2007, at 3. In the Final Office Action of July 18, 2007 (the "Final Office Action"), however, the Examiner maintained the rejections without doing so.

In the Final Office Action, the Examiner also asserted for the first time, as a new ground for rejection, that the phrases "to record identification information," "to record revenue information," "to record account delinquency information" and "to track negative payment history" do not limit the scope of the claims. The Examiner based this assertion on a conclusion

that the cited language only suggests or makes optional the recited function and does not limit the claim to a particular structure. *See* Final Office Action at 8. Applicants respectfully traverse these rejections.³

Applicants submit that the recited limitations are structural. Even if the recitations are considered functional, however, the Court of Appeals for the Federal Circuit has acknowledged that the features of an apparatus may be recited either structurally or functionally. *See In re Schreiber*, 128 F.3d 1473, 1477-78, 44 USPQ2d 1429, 1431-32 (Fed. Cir. 1997). “[T]here is nothing intrinsically wrong with [defining something by what it does rather than what it is] in drafting patent claims.” 128 F.3d at 1478 (citing *In re Swinehart*, 58 C.C.P.A. 1027, 439 F.2d 210, 212, 169 USPQ 226, 228 (CCPA 1971)).

When a claim feature is recited functionally rather than structurally, the prior art can anticipate the claim only if it expressly or inherently includes that feature. *See* 128 F.3d at 1478. Yet, in the present case, as discussed below, Phelan does not expressly or inherently include the recited elements of the claims.

B. Phelan Does Not Include All of the Elements of the Claims.

Applicants respectfully submit that Phelan does not disclose or teach all of the recited elements of the Applicants’ claims.

Claim 1

For example, Phelan does not appear to disclose or teach “a revenue capture in data communication with the entity identification capture to record revenue information for the entity” as recited in claim 1. Applicants have searched the entire Phelan specification, and the only references to “revenue” appear to refer to revenue generated by the operator of the Phelan system (see paragraph 0031). Phelan does not disclose a revenue capture to record information regarding revenue of the customers that are the subject of the Phelan payment history data. Moreover, although Phelan discloses capturing delinquency information, it does not appear to

³ Applicants note that the first time the Examiner introduced this new ground of rejection was in the Final Office Action. Under MPEP § 706.07(a), however, an action introducing a new ground of rejection should not be made final. As set forth in the Status of Amendments section of this brief, Applicants filed an Amendment after Final Office Action to address the new ground of rejection, but the Examiner refused to enter the proposed amendments.

disclose a negative payment history capture to track negative payment history for each entity. Applicants respectfully submit, therefore, that Phelan does not anticipate claim 1.

Claims 2-24

Claims 2-24 depend from and include all of the elements of claim 1. For at least the reasons set forth above with respect to claim 1, therefore, Applicants respectfully submit that Phelan also does not anticipate claims 2-24.

In addition, Applicants respectfully submit that Phelan does not teach or suggest any of the following recited features of Applicants' claims 1-24.

Claim 3

With respect to claim 3, Phelan does not disclose a system wherein "the entity identification capture identifies a district number, a marketing number and a route number for a specified entity." Phelan does not make any reference to the terms "district," "marketing" or "route."

Claim 4

With respect to claim 4, Phelan does not disclose a system wherein "the entity identification capture identifies the business hours for a specified entity." Phelan does not make any reference to the terms "business hours" or "hours."

Claim 5

With respect to claim 5, Phelan does not disclose a system wherein "the revenue capture comprises a prior month commission total." Applicants have not found any reference to the term "commission" in the Phelan specification.

Claim 6

With respect to claim 6, Phelan does not disclose a system "wherein the revenue capture comprises a prior month gross revenue total." As discussed above, Phelan does not disclose a revenue capture to record any revenue information of the customers.

Claim 7

With respect to claim 7, Phelan does not disclose a system "wherein the revenue capture comprises a year to date commission total." As discussed above, Phelan does not address commissions at all.

Claim 8

With respect to claim 8, Phelan does not disclose a system “wherein the revenue capture comprises a year to date revenue total.” As discussed above, Phelan does not disclose a revenue capture at all.

Claim 9

With respect to claim 9, Phelan does not disclose a system “wherein the revenue capture identifies a commission payment by displaying a check number, a check date and a check amount corresponding to the commission payment.” In addition to not disclosing commission payments, Phelan does not discuss check information such as check numbers, dates or amounts.

Claim 11

With respect to claim 11, Phelan does not disclose a system “wherein the delinquency data capture identifies an account delinquency by providing a delinquency date and a reason for the delinquency.” Although Phelan discloses capturing delinquency information, it does not appear to disclose capturing a reason for the delinquency.

Claim 12

With respect to claim 12, Phelan does not disclose a system “wherein the delinquency data capture identifies an adjustment in the delinquency count.” Although Phelan discloses capturing delinquency information, it does not appear to disclose identifying an adjustment in the delinquency.

Claim 13

With respect to claim 13, Phelan does not disclose a system “wherein the negative payment history capture comprises a bank returned check capture.” Phelan does not discuss returned checks at all.

Claim 14

With respect to claim 14, Phelan does not disclose a system “wherein the negative payment history capture comprises a company returned check capture.” As discussed above, Phelan does not discuss returned checks at all.

Claim 15

With respect to claim 15, Phelan does not disclose a system “wherein the negative payment history capture comprises a missing check capture.” As discussed above, Phelan does not discuss check information.

Claim 16

With respect to claim 16, Phelan does not disclose a system “wherein the negative payment history capture comprises a missing bank deposit capture.” Phelan does not discuss bank deposits at all.

Claim 17

With respect to claim 17, Phelan does not disclose a system “wherein the negative payment history capture comprises a certified funds requirement indicator.” Phelan does not discuss certified funds requirements at all.

Claim 18

With respect to claim 18, Phelan does not disclose a system “further comprising a commission schedule for a specified entity.” As discussed above, Phelan does not address commissions at all.

Claim 19

With respect to claim 19, Phelan does not disclose a system “further comprising a commission check mailing address.” As discussed above, Phelan does not address commissions at all.

Claim 21

With respect to claim 21, Phelan does not disclose a system “further comprising a contract information capture.” Phelan does not appear to teach storing contract information regarding the contracts of the customers for whom information is stored.

Claim 22

With respect to claim 22, Phelan does not disclose a system “wherein the contract information capture includes an addendum information capture.” Phelan does not teach storing contract addendum information.

Claim 23

With respect to claim 23, Phelan does not disclose a system “further comprising a month to date adjustments capture.” Phelan does not appear to discuss adjustments at all.

Claim 24

With respect to claim 24, Phelan does not disclose a system “further comprising a year to date adjustments capture.” As discussed above, Phelan does not appear to discuss adjustments at all.

Claim 25

Applicants' claim 25 is directed to an entity records system for tracking information pertaining to a plurality of entities. The system includes an entity identification capture to record identification information for each entity. A revenue capture is in data communication with the entity identification capture to record revenue information for the entity.

As discussed above with respect to claim 1, Phelan does not disclose a revenue capture to record revenue information of the customers that are the subject of the Phelan payment history data. Applicants respectfully submit, therefore, that Phelan also does not anticipate claim 25.

Claims 26-33

Claims 26-33 depend from and include all of the elements of claim 25. For at least the reasons set forth above with respect to claim 25, therefore, Applicants respectfully submit that Phelan does not anticipate claims 26-33.

In addition, based on Applicants' review of Phelan, they respectfully submit that Phelan does not teach or suggest any of the following recited features of Applicants' claims 27-33.

Claim 27

With respect to claim 27, Phelan does not disclose a system wherein "the entity identification capture identifies a district number, a marketing number and a route number for a specified entity." *See* discussion above regarding claim 3.

Claim 28

With respect to claim 28, Phelan does not disclose a system "wherein the entity identification capture identifies the business hours for a specified entity." *See* discussion above regarding claim 4.

Claim 29

With respect to claim 29, Phelan does not disclose a system "wherein the revenue capture comprises a prior month commission total." *See* discussion above regarding claim 5.

Claim 30

With respect to claim 30, Phelan does not disclose a system "wherein the revenue capture comprises a prior month gross revenue total." *See* discussion above regarding claim 6.

Claim 31

With respect to claim 31, Phelan does not disclose a system "wherein the revenue capture comprises a year to date commission total." *See* discussion above regarding claim 7.

Claim 32

With respect to claim 32, Phelan does not disclose a system “wherein the revenue capture comprises a year to date revenue total.” *See* discussion above regarding claim 8.

Claim 33

With respect to claim 33, Phelan does not disclose a system “wherein the revenue capture identifies a commission payment by displaying a check number, a check date and a check amount corresponding to the commission payment.” *See* discussion above regarding claim 9.

Claim 36

Claims 36-37 depend from and include all of the elements of claim 34. Applicants respectfully submit that Phelan also does not anticipate claims 36-37.

Applicants’ claim 34 is directed to an entity records system for tracking information pertaining to a plurality of entities. The system includes an entity identification capture to record identification information for each entity. A delinquency data capture is in data communication with the entity identification capture to record account delinquency information for each entity.

With respect to claim 36, Phelan does not disclose a system “wherein the delinquency data capture identifies an account delinquency by providing a delinquency date and a reason for the delinquency.” *See* discussion above regarding claim 11.

Claim 37

With respect to claim 37, Phelan does not disclose a system “wherein the delinquency data capture identifies an adjustment in the delinquency count.” *See* discussion above regarding claim 12.

Claim 38

Applicants’ claim 38 is directed to an entity records system for tracking information pertaining to a plurality of entities. The system includes an entity identification capture to record identification information for each entity. A negative payment history capture is in data communication with the entity identification capture to track the negative payment history for each entity.

Phelan does not disclose a negative payment history capture to track negative payment history for each entity. Applicants respectfully submit, therefore, that Phelan does not anticipate claim 38.

Claims 39-43

Claims 39-43 depend from and include all of the elements of claim 38. For at least the reasons set forth above with respect to claim 38, therefore, Applicants respectfully submit that Phelan also does not anticipate claims 39-43.

In addition, Applicants respectfully submit that Phelan does not teach or suggest any of the following recited features of Applicants' claims 39-43.

Claim 39

With respect to claim 39, Phelan does not disclose a system "wherein the negative payment history capture comprises a bank returned check capture." *See* discussion above regarding claim 13.

Claim 40

With respect to claim 40, Phelan does not disclose a system "wherein the negative payment history capture comprises a company returned check capture." *See* discussion above regarding claim 14.

Claim 41

With respect to claim 41, Phelan does not disclose a system "wherein the negative payment history capture comprises a missing check capture." *See* discussion above regarding claim 15.

Claim 42

With respect to claim 42, Phelan does not disclose a system "wherein the negative payment history capture comprises a missing bank deposit capture." *See* discussion above regarding claim 16.

Claim 43

With respect to claim 43, Phelan does not disclose a system "wherein the negative payment history capture comprises a certified funds requirement indicator." *See* discussion above regarding claim 17.

Claim 44

Applicants' claim 44 is directed to a method of tracking information pertaining to a plurality of entities. The method includes the steps of: storing and retrieving entity identification data; storing and retrieving revenue information pertaining to the entities; storing and retrieving

delinquency data pertaining to the entities; and storing and retrieving negative payment history pertaining to the entities.

For at least the reasons set forth above with respect to claims 1, 25 and 38, Applicants respectfully submit that Phelan also does not anticipate claim 44.

Claim 45

Claim 45 depends from and includes all of the elements of claim 44. For at least the reasons set forth above with respect to claim 44, therefore, Applicants respectfully submit that Phelan also does not anticipate claim 45.

CLAIMS APPENDIX

An appendix including a copy of the claims involved in the appeal is attached.

EVIDENCE APPENDIX

None.

RELATED PROCEEDINGS APPENDIX

None.

CONCLUSION

For the foregoing reasons, Applicants submit that the Examiner has failed to establish a *prima facie* case of anticipation with respect to the subject matter of claims 1-33 and 36-45. Applicants therefore respectfully request that the Board reverse the Examiner's rejection of claims 1-33 and 36-45 and allow the claims.

Dated: August 18, 2008

Respectfully submitted,

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CLAIMS APPENDIX

1. An entity records system for tracking information pertaining to a plurality of entities, the system comprising: an entity identification capture to record identification information for each entity; a revenue capture in data communication with the entity identification capture to record revenue information for the entity; a delinquency data capture in data communication with the entity identification capture to record account delinquency information for each entity; and a negative payment history capture in data communication with the entity identification capture to track the negative payment history for each entity.

2. The entity records system of claim 1 wherein the entity identification capture comprises a business name, an address, and a business telephone number.

3. The entity records system of claim 1 wherein the entity identification capture identifies a district number, a marketing number and a route number for a specified entity.

4. The entity records system of claim 1 wherein the entity identification capture identifies the business hours for a specified entity.

5. The entity records system of claim 1 wherein the revenue capture comprises a prior month commission total.

6. The entity records system of claim 1 wherein the revenue capture comprises a prior month gross revenue total.

7. The entity records system of claim 1 wherein the revenue capture comprises a year to date commission total.

8. The entity records system of claim 1 wherein the revenue capture comprises a year to date revenue total.

9. The entity records system of claim 1 wherein the revenue capture identifies a commission payment by displaying a check number, a check date and a check amount corresponding to the commission payment.

10. The entity records system of claim 1 wherein the delinquency data capture comprises a delinquency count.

11. The entity records system of claim 1 wherein the delinquency data capture identifies an account delinquency by providing a delinquency date and a reason for the delinquency.

12. The entity records system of claim 10 wherein the delinquency data capture identifies an adjustment in the delinquency count.

13. The entity records system of claim 1 wherein the negative payment history capture comprises a bank returned check capture.

14. The entity records system of claim 1 wherein the negative payment history capture comprises a company returned check capture.

15. The entity records system of claim 1 wherein the negative payment history capture comprises a missing check capture.

16. The entity records system of claim 1 wherein the negative payment history capture comprises a missing bank deposit capture.

17. The entity records system of claim 1 wherein the negative payment history capture comprises a certified funds requirement indicator.

18. The entity records system of claim 1 further comprising a commission schedule for a specified entity.

19. The entity records system of claim 1 further comprising a commission check mailing address.

20. The entity records system of claim 1 further comprising an owner identification feature.

21. The entity records system of claim 1 further comprising a contract information capture.

22. The entity records system of claim 21 wherein the contract information capture includes an addendum information capture.

23. The entity records system of claim 1 further comprising a month to date adjustments capture.

24. The entity records system of claim 1 further comprising a year to date adjustments capture.

25. An entity records system for tracking information pertaining to a plurality of entities, the system comprising: an entity identification capture to record identification information for each entity; and a revenue capture in data communication with the entity identification capture to record revenue information for the entity.

26. The entity records system of claim 25 wherein the entity identification capture comprises a business name, an address, and a business telephone number.

27. The entity records system of claim 25 wherein the entity identification capture identifies a district number, a marketing number and a route number for a specified entity.

28. The entity records system of claim 25 wherein the entity identification capture identifies the business hours for a specified entity.

29. The entity records system of claim 25 wherein the revenue capture comprises a prior month commission total.

30. The entity records system of claim 25 wherein the revenue capture comprises a prior month gross revenue total.

31. The entity records system of claim 25 wherein the revenue capture comprises a year to date commission total.

32. The entity records system of claim 25 wherein the revenue capture comprises a year to date revenue total.

33. The entity records system of claim 25 wherein the revenue capture identifies a commission payment by displaying a check number, a check date and a check amount corresponding to the commission payment.

34. An entity records system for tracking information pertaining to a plurality of entities, the system comprising: an entity identification capture to record identification information for each entity; and a delinquency data capture in data communication with the entity identification capture to record account delinquency information for each entity.

35. The entity records system of claim 34 wherein the delinquency data capture comprises a delinquency count.

36. The entity records system of claim 34 wherein the delinquency data capture identifies an account delinquency by providing a delinquency date and a reason for the delinquency.

37. The entity records system of claim 35 wherein the delinquency data capture identifies an adjustment in the delinquency count.

38. An entity records system for tracking information pertaining to a plurality of entities, the system comprising: an entity identification capture to record identification information for each entity; and a negative payment history capture in data communication with the entity identification capture to track the negative payment history for each entity.

39. The entity records system of claim 38 wherein the negative payment history capture comprises a bank returned check capture.

40. The entity records system of claim 38 wherein the negative payment history capture comprises a company returned check capture.

41. The entity records system of claim 38 wherein the negative payment history capture comprises a missing check capture.

42. The entity records system of claim 38 wherein the negative payment history capture comprises a missing bank deposit capture.

43. The entity records system of claim 38 wherein the negative payment history capture comprises a certified funds requirement indicator.

44. A method of tracking information pertaining to a plurality of entities, the method comprising the steps of: storing and retrieving entity identification data; storing and retrieving revenue information pertaining to the entities; storing and retrieving delinquency data pertaining to the entities; and storing and retrieving negative payment history pertaining to the entities.

45. The method of claim 44, further comprising the steps of: providing a searchable database having a query field; wherein in response to the input of an entity identifier, at least one of the entity identification data, revenue information, delinquency data or negative payment history is displayed.

EVIDENCE APPENDIX

None.

RELATED PROCEEDINGS APPENDIX

None.